

ARTICLE 911

Water Regulations

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CROSS REFERENCES

Water supply - See 3rd Class §3501-3572
(53 P.S. §38501-38572)

Water and sewer assessment - See S.U. and P.S. Art. 905

Rates and charges - See S.U. & P.S. Art. 913

911.01 DEFINITIONS.

The following words, terms, and phrases, when used in this Article shall have the meaning ascribed to them in the Section, except where the context clearly indicates a different meaning.

- (a) Applicant. Any party applying for water service or a water main extension.
- (b) Bureau of Water. A Bureau of the Department of Water and Sewer Resources, City of Bethlehem Pennsylvania.
- (c) City. The City of Bethlehem, Pennsylvania.
- (d) City Service Line. The line through which water is transmitted from the water main to the curb line.
- (e) Corporation Stop. An outside shutoff valve on the water main.

- (f) Cross Connection. A link or channel between pipes carrying City water and pipes, carrying water from other sources, e.g., wells, streams, etc.
- (g) Curb Stop. An outside shutoff valve on the water service
- (h) Customer. A party contracting with the City for service.
- (i) Customer Service Line. The line through which water is transmitted from curb line to user.
- (j) Fire Flow Test. The flowing of water in a sprinkler system, standpipe system or fire hydrant for testing performance of it. (Ord. 3568. Passed 9/7/93.)
- (k) Fire Line. A water line installed exclusively for fire protection in a building or to a fire hydrant installed on private property.
- (l) Improved Property. Any property upon which a dwelling, capable of human habitation, has been constructed.
- (m) Landlord. A customer who owns a rental property.
- (n) Meter. A device used for the purpose of measuring water consumption including exterior remote reading device and wiring.
- (o) User. Anyone who creates a demand for water and engages in the consumption thereof.
- (p) Water Main. Line through which water is transmitted throughout the distribution system.
- (q) Water Service. The City service line, the meter, and meter setting. (Ord. 3025 §1. Passed 10/15/85.)

911.02 APPLICATION FOR NEW SERVICE.

- (a) Water will be furnished upon written application by a person or persons desiring introduction of water service to a property or properties upon approval of such application by the City. Forms for all applications are available at the Department of Water and Sewer Resources, 10 East Church Street, Bethlehem, Pennsylvania.

- (b) New water service will not be provided outside the City's franchised water service area, as approved by the Pennsylvania Public Utility Commission, unless the following conditions are met:
- (1) The official approval of the Pennsylvania Public Utility Commission must be obtained prior to granting approval to above-mentioned service request, provided PUC approval is necessary.
 - (2) The water service application must have the approval of Bethlehem City Council, upon the recommendation of the Water and Sewer Resources Department. The Department will only make such a recommendation if it can be proven that the City would benefit from the expansion of its distribution system, and that such expansion, in fact, would not be detrimental to the City's ability to provide adequate service to its existing customers.

911.03 SERVICE CONNECTIONS.

- (a) City's Service Line. Upon proper application, the City will install and maintain a service line from the main to the curb line.
- (b) Size and Kind of Service Line. The City reserves the right to determine the size and kind of the service line, from the main to the curb line and also from the curb line to the user to be served. Normally, 3/4" size lines will be furnished to serve single dwellings unless a larger size has been applied for and approved by the Bureau of Water. The pipe from the curb line to the user shall be furnished, installed and maintained by the owner of the property.
- (c) Separate Trench. No service pipe shall be laid in the same trench with drain or sewer pipe, or any other facility of another public service company, nor within three feet of any open excavation or walk unless an exception is granted by the Bureau of Water. When installed in the same trench with sewer, the service line must be shelved at least 18" above the invert of the drain, sewer line or other facility. In addition, an 18-inch horizontal separation must be maintained.

- (d) Independent Connection for Each Building. Each separate building and single dwelling shall be provided with an independent connection from the main. However, single garages and apartments on the same lot may be supplied from a single service connection, with the approval of the Bureau of Water. Every meter shall have its own curb stop. (Ord. 3025 §1. Passed 10/15/85.)
- (e) Requirement to Connect to Water Supply System. Any improved property on which water is used for human consumption, which abuts the water supply system of the City, shall connect to the water supply system of the City within 90 days of a notice by the City to the owner of the improved property to connect. Such notice to connect may be given or served at any time after a water service main is in place that can deliver water to the improved property. Such notice shall be given or served upon the owner by the Director of Water and Sewer Resources by certified mail or in person as authorized by the Director. (Ord. 3431 - Passed 9/3/91.)

911.04 CUSTOMER'S SERVICE LINE.

The customer's service line is the line through which water is transmitted from the curb line to the user location and which provides water service for the owner or tenant of any property being served with City water.

In the case of any rental property, the landlord shall be responsible for adhering to all City rules and regulations, including payment of all water bills.

All connections, service lines and fixtures furnished by the customer shall be maintained by him in good order; and all valves, meters and appliances furnished and owned by the City and on the property of the customer shall be protected properly by said customer. All leaks in the customer service line or any other pipe or fixture, in or upon the premises supplied, must be repaired immediately by the customer. On failure to make such repairs with reasonable dispatch, the City, upon five (5) days notice, will discontinue service.

Service lines from the curb line to the user shall be laid at a depth of not less than four (4') feet. Materials and installation shall be in accordance with City specifications.

The City shall in no event be responsible for maintaining any portion of the customer service line, or for any damage done by water escaping there from, or from lines or fixtures on customer's property.

The City may require a deposit to cover the cost of City service line in subdivisions or any property programmed for future development. Deposit shall be returned at such time as connection to improved property is made and billing for water service commences.

Where renewal of the City service line is found to be necessary, the City will renew said City service line in the same location and the same size. If the customer, for his own convenience, desires the new City service line at some other location or in a larger size, such relocation and increased size will be made by the City, provided the customer pays for the excess cost involved in complying with customer's request.

If the renewal of the City service line is predicated on a customer request, renewal will be accomplished only if the customer service line is renewed prior to the renewal of the City service line and only if the City service line has not been renewed already. (Ord. 3025 §1. Passed 10/15/85.)

911.05 DISCONTINUANCE OF SERVICE.

- (a) By Customer. All agreements covering service for water shall continue in force unless and until reasonable notice is given of a desire to terminate the service. Water will be turned off from any premises upon the request of the customer without in any way affecting the existing agreements for service. Reasonable notice is construed, as a minimum of one working day advance notification of time the turn-off is desired.

In the case of a rental property, the City will not terminate water service to said property simply to accommodate the wishes of an owner who desires to use said shut-off as a means to evict his tenants.

- (b) By City. Service may be discontinued after the City has served the user with the ten (10) day notice, for any of the following reasons:

- (1) For the use of water for any other property or purpose other than that described in the application;

- (2) For willful waste of water through improper or imperfect pipes, fixtures or otherwise, such as leaks in pipes and fixtures;
 - (3) For tampering with any service line, curb stop, meter, or meter setting;
 - (4) In case of abandonment of the premises;
 - (5) For nonpayment of any charges accruing under the service;
 - (6) For refusal of reasonable access to the property for purposes of inspecting, reading, maintaining or removing meters;
 - (7) For making or refusing to remove any cross connections;
 - (8) For not complying with mandatory water conservation rules and regulations imposed by the City during times of limited water supply;
 - (9) For violation of any of the rules and regulations governing the use of water.
- (c) Discontinuing Service. Where service is discontinued by the City as in 911.05(b) a discontinuance of service charge of thirty-five (\$35.00) dollars will be assessed.
- (d) Turning On-Off Without Authority. The customer shall not turn the water on or off at any corporation stop or curb stop, or disconnect or remove the meter, or permit its disconnection and removal.
- (e) Emergency Turn-Off. As necessity may arise in case of breakdown, emergency, or for any other unavoidable cause, the City shall have the right to cut off the water supply temporarily in order to make necessary repairs connections, etc. The City will use all reasonable and practical measures to notify the customer or user of such discontinuance of service. In such case, the City shall not be liable for any damage or inconvenience suffered by the customer or user or any claim against it at any time for interruption of service, lessening of the supply, inadequate pressure, poor quality of water, or for any

causes beyond its control. When a supply of water is to be temporarily cut off, notice will be given when practicable, to all customers or users affected.

- (f) Reserve Supply. The City shall have the right, at all times, to issue restrictions on the unlimited use of water. Such restrictions will be issued whenever the public welfare may require it, for example, to reserve a sufficient supply of water at all times in the City's reservoirs to provide for fire and other emergencies, or any cogent reason.
- (g) Drought Contingency Plan. In order to prepare the users in the service area for periods of limited water supply in times of drought, the city shall have the right to develop a Drought Contingency Plan. The goal of this plan shall be to help the water supply system to match the demand in the service area with the dwindling supply. (Ord. 3025 §1. Passed 10/15/85.)

911.06 RESTORATION OF SERVICE.

- (a) Change of Ownership. Upon change of ownership of the property, continuation of the water service is contingent upon submission of a new application by the succeeding owner. The City shall have the right to discontinue water service until such application has been made and turn-on fee paid.

A new customer shall not be responsible for a previous customer's back billing or delinquent accounts.

- (b) Restoral of Service. Service will be restored when the conditions under which such service was discontinued are corrected, and all back billings for service including the discontinuance of service charge and the restoral charge of thirty-five (\$35.00) dollars each are paid. (Ord. 3025 §1. Passed 10/15/85.) No discontinuance of service charge or restoral charge will be assessed when service is discontinued by the City as in 911.05(e) - Emergency Turn-Off.

911.07 WATER USED FOR BUILDING PURPOSES.

- (a) Building Water Charge

- 1) Out-of-City. If water is required for building purposes, a charge shall be made at the time

application is made for water service. This charge will be one quarterly minimum water billing based on the size of the City service line servicing the facility.

- 2) In City. For in-City construction the above charge shall be levied at the time of building permit application.
- 3) Restriction. Water for building purposes will be used only for actual construction of the building and shall not be used to facilitate landscaping or other purposes. (Ord. 3025 §1. Passes 10/15/85.)

911.08 METERS.

- (a) Installation and Meter Size. The City will furnish and maintain all meters necessary to the furnishing of its water service. If customer desires additional meters for any reason for his convenience in recording use, such meters shall be furnished by the customer at his expense. City will install meters ranging in size from 5/8 inch to and including one (1) inch meters. In the case of meters larger than one (1) inch in size, the customer must provide, at his expense, all the plumbing required for the meter setup. The City will then provide the meter. The meter also includes any exterior remote reading device and wiring. Should the customer determine, due to a change in use, that a larger meter size is needed, such meter shall be provided by the City, provided customer agrees to increased customer charge and customer agrees to pay for the excess cost of the larger size meter.
- (b) All Services to be Metered. All new services shall be metered services. The City reserves the right to approve the size and the location of the meter and any exterior remote reading device.

Water may not be introduced into an occupied premises without first installing a meter, following approval of application for service (See Section 911.07 for Water Used for Building Purposes).

- (c) Location. The meter will be set after customer has had the plumbing arranged to receive the meter at a convenient point approved by the City so as to measure all the water being supplied. Protection for the meter shall be provided by the customer. Availability of

access to the meter shall be maintained at all times. Relocation of the meter for customer's convenience shall be at the customer's expense.

The exterior remote reading device is to be installed a minimum of four (4) feet and a maximum of five (5) feet off the ground at a location to be determined by the City. Protection of the exterior remote reading device shall be provided by the customer. No vegetation may be planted or allowed to remain in front of the remote reading device. Availability of safe, unrestricted and unobstructed access to the remote reading device shall be maintained by the customer at all times. The customer may not tamper with or alter the remote reading device in any way.

The meter and backflow prevention device shall be installed within the customer's premises at a location that provides for convenient access for future maintenance. Customer shall reconfigure their internal piping to accommodate installation of these devices, if necessary. If adequate space is not available within the customer premises, the customer shall enlarge or reconfigure it. If this is not possible, customer shall provide an approved above grade enclosure located outside of the customer's premises to house these devices. Below grade vaults shall not be permitted.

If the meter or backflow prevention device is upgraded or replaced, the customer shall provide adequate space within their premises for the new devices. Customer shall also be responsible for reconfiguration of their internal piping to accommodate installation of the new devices. If adequate space is not available within the customer premises, the customer shall enlarge or reconfigure it. If this is not possible, customer shall provide an approved above grade enclosure located outside of the customer's premises to house these devices. Below grade vaults shall not be permitted.

- (d) Bypasses. Bypasses, valves, check valves, backflow preventers, and pressure reducing valves, etc. as specified in the City Standard must be installed according to the meter size and location. No bypasses shall be installed around meters unless approved by the Bureau of Water. Such approval will be withheld unless the bypass is metered.

- (e) Responsibility for Damage. Meters will be maintained by the City so far as ordinary wear and tear are concerned, but damage due to freezing, hot water or external causes due to negligence of the customer, shall be paid for by the customer.

The charge for the reinstallation and changing of a meter when removed because damaged in any way due to the negligence of customer, shall be actual cost of removing, replacing, repairing and testing.

- (f) Customer Charge. Every meter is installed subject to a monthly or quarterly charge in accordance with the rates thereof for which no quantity of water will be allowed without additional charge. Such customer charge shall be payable whether or not the customer uses any water. In cases of fractional bills covering less than the monthly or quarterly customer charge, the charge shall be prorated, such as when ownership of a property changes.

- (g) Notification of City of Non-Working Meter. The customer shall notify the City of damage to or the non-working of the meter as soon as it comes to his attention.

- (h) Registration Conclusive. No adjustment of amount registered is permitted for any reason except malfunction of meter, or upon a positive showing by the customer in instances of excessive usage that the usage resulted from circumstances beyond his ability to control.

- (i) Disputed Account. In case of a disputed account involving accuracy of a meter, such meter will be tested upon the request of the customer in conformity with the following rules:

- (1) Customer shall request in writing the testing of the meter.
- (2) Meter shall be sealed in the presence of the customer before removal to the meter shop.
- (3) Seal shall be broken and meter tested in the presence of the customer or his authorized agent.

- (j) Adjustment of Bills for Meter Error.

- (1) Fast Meters - If, upon test of any meter, the meter is found to have an error of more than four (4%)

percent fast, the City shall refund to the customer the overcharge, based upon the corrected meter reading for a period equal to one-half the time elapsed since the last previous test, but not to exceed twelve (12) months. If the period of registration error can be definitely fixed, the overcharge shall be computed for such period, but not to exceed three (3) years. This meter will not be returned to service until certified as accurate.

- (2) Slow Meters - If, upon test of any meter, the meter is found to have an error of more than four (4%) percent slow, the City may render a bill for the water consumed, but not covered by bills previously rendered, for a period equal to one-half of the time elapsed since the last previous test, but not to exceed twelve (12) months. If the period of registration error can be definitely fixed, the charge may be computed for such a period, but not to exceed three (3) years. This meter will not be returned to service until certified as accurate.
- (3) Non-Registering of Meters - If a meter is found not to have been registering for any period, the City shall compute the water used by taking the average of the water used for the nearest meter reading period preceding and the meter reading period immediately following the date when the meter was found to be not registering, which amount shall be assumed to be the amount of water used by the customer during the billing period in which the meter was found not to have registered. Exceptions will be made to this rule only where the facts clearly show that the stated method does not give the correct consumption for the period. This meter will not be returned to service until certified as accurate.
- (4) If a meter is found to be accurate, the fee for testing each water meter having an outlet not exceeding one (1") inch shall be \$38.00; for other water meters having an outlet not exceeding two (2") inches, the fee shall be \$40.00.
- (k) Readings. All metered accounts shall have a minimum of one actual reading at intervals not exceeding twelve months (Ord. 3025 §1. Passed 10/15/85.) Except for accounts with meters having an electronic communications register and remote reading device which shall have a

minimum of one actual reading at intervals not exceeding five (5) years, as well as every time the property is sold. It shall be the owner's responsibility to make his property accessible for at least one (1) meter reading per year except for properties with meters having an electronic communications register and remote reading device which shall be made accessible for at least one (1) meter reading every five (5) years, as well as every time the property is sold.

911.09 FIRE SERVICE.

- (a) Hydrant Installation: Public. Wherever main extensions are made, the City will propose the installation of fire hydrants in accordance with accepted standards. Upon agreement of the political subdivision concerned to pay the yearly rental of such hydrant, the City will provide fire hydrant materials for installation by the applicant's contractor. The City will not propose installation of, or furnish materials for, fire hydrants in any municipality where the size of the existing street main and surrounding distribution system and the available pressure on said street main fail to meet acceptable standards. All fire hydrants will be maintained by the City.
- (b) Hydrant Installation: Private. When a request is made for private fire protection, a fire hydrant will be provided by the City for installation by the applicant's contractor.
- (c) Automatic Devices, Hydrants: Private. A fire line, to be used for fire service, will be required for automatic sprinklers or other fire service devices located inside of a building or buildings. Fire hydrants located outside of the buildings may be connected to said fire line, without additional charge.
- (d) Allowable Use. Except for fire, only persons authorized by the City shall take water from any fire hydrant, and no fire hydrants shall be used for any other purpose, except with the written approval and consent of the City.
- (e) Change of Location. Change in the location of public fire hydrants may be made upon written request and approval by the City. Such relocation will be paid for by the requestor.

(f) Approval. The City reserves the right to refuse an application for fire protection where, in the judgment of the City, such service is not reasonable or practical. (Ord. 3025 §1. Passed 10/15/85.)

(g) Fire Flow Test. All customers must notify the City at (610) 865-7077 seventy-two (72) hours prior to conducting a fire flow test. (Ord. 3568. Passed 9/7/93.)

911.10 MAIN EXTENSIONS.

Whenever the developer/owner ("Applicant") of a property within the service territory of the City requests the City to extend its distribution system to serve such property, the City will, subject to certain terms and conditions, extend its distribution mains or allow Applicant to extend the City's distribution mains.

The City will utilize an agreement defining the extension, applicable cost (including taxes, if applicable), method of payment, and refunds and/or credits, if applicable. Such agreement will be in accord with the Public Utility Code, Title 66 Pa. C.S. §1303.

The City shall have the exclusive right to determine the type, size, length and location of mains to be installed and the other facilities required to render adequate service, including fire service. The minimum pipe size for main extensions shall be 6 inches per 52 Pa. Code Chapter 65.17(b). Applicants are responsible for 100% of the costs associated with the extension, including materials, rights of way, installation, inspection and overhead. However, the City may agree to share a portion of the cost of the extension where the City determines that the extension will be beneficial to the quality of service provided to existing customers.

In determining the length of and necessity for any extension required, the terminal point of such extension shall, in all cases, be at that point in the curb line which extends entirely across the frontage of the property for which water service is requested. A street service connection will be provided only for customer service lines that extend from the curb to the premises to be served which are laid in a straight line at right angles to the curb line.

For purposes of this rule:

1. "Bona Fide Prospective Customer" shall mean any owner of an existing developed premises having a curb line abutting on that part of a street or public highway in which there is, or is to be, located a distribution main of the City, who shall file a signed

application for a new street service connection to such premises and for water service to begin immediately following installation of the street service connection.

2. "Street Service Connection" shall mean a pipe with appurtenances used to conduct water from a distribution main of the City to the curb line of the premises.

When the City determines that an extension requested by an Applicant qualifies for a credit/refund, said extension and refund/credit shall be determined as follows:

The Applicant will deposit with the City upon execution of an agreement an amount equal to:

(1) The Estimated Cost - The Estimated Cost of the Applicant's Deposit shall include estimates of the cost of said main(s) and of any other facilities which the City shall have decided are required to render adequate service, less

(2) The Applicable Credit - The Applicable Credit shall be a credit equal to the amount produced by multiplying (a) the average Estimated Cost per foot of the extension by (b) thirty-five (35) feet, and by multiplying the product thereof by (c) the number of Bona Fide Prospective Customers who will be directly served by said extension.

When an agreement calls for the refunding of deposits, the city will refund to the Applicant, during the period of ten (10) years from actual date of deposit, a Per-Customer Refund Amount for each additional Bona Fide Prospective customer for whom a street service connection shall be directly attached to such main extension, as distinguished from extensions or branches thereof; provided however, that the total amount refunded shall not exceed the original deposit, without interest, and that all or any part of the deposit not refunded within said 10-year period shall become the property of the City. The Per-Customer Refund Amount shall be an amount equal to the average actual completed cost of thirty-five (35) feet of the said extension.

At the conclusion of the project, there shall be a reconciliation of the actual costs incurred to the amount of deposit that has been paid. If the actual cost exceeds the deposit, the Applicant shall be responsible for payment of the difference to the City. If the deposit exceeds the actual cost, the City shall refund the difference.

911.11 DAMAGE TO SYSTEM AND THEFT OF WATER.

Any owner or occupant of property which is serviced by the water system of the City of Bethlehem who removes the seal installed by the City, or who in any other way willfully causes damage to any equipment in the system or who uses water for which the City is not properly compensated, shall be considered in violation of this Ordinance and shall be subject to the penalty set forth in Section 911.99. (Ord. 2949. Passed 7/3/84.) Nothing in this section shall be construed as limiting the City's remedies at law or equity.

911.12 WATER CONSERVATION CONTINGENCY PLAN

(a) General.

If the City is experiencing a short-term supply shortage, the City may request general conservation of inside water uses and may impose mandatory conservation measures to reduce or eliminate nonessential use of water.

(b) Voluntary Conservation

The City shall first request voluntary curtailment of all non-essential uses of water.

(c) Mandatory Conservation

If voluntary cooperation does not achieve satisfactory results, mandatory compliance will be imposed. If any customer refuses to comply with such mandatory measures, the City may either adjust the outside water valve connection in a manner, which will restrict water flow by up to 1/2, or otherwise restrict flow such as by the insertion of a plug device.

(d) Nonessential Uses of Water Include:

- (1) The use of hoses, sprinklers, or other means for sprinkling or watering of shrubbery, trees, lawns, grass, plants, vines, gardens, vegetables, flowers, or other vegetation.
- (2) The use of water for washing automobiles, trucks, trailers, trailer houses, or any other type of mobile equipment.
- (3) The washing of streets, driveways, parking lots, service station aprons, office building, exteriors of

homes, sidewalks, apartments or other outdoor surfaces.

- (4) The operation of any ornamental fountain or other structures making a similar use of water.
 - (5) The use of water for filling swimming or wading pools.
 - (6) The operation of any water-cooled comfort air-conditioning, which does not have water-conserving equipment.
 - (7) The use of water from fire hydrants for construction purposes or fire drills.
 - (8) The use of water to flush a sewer line or sewer manhole.
 - (9) The use of water for commercial farms and nurseries other than a bare minimum to preserve plants, crops, and livestock.
- (e) In addition to the provisions as set forth above, the Pennsylvania Emergency Management Council is authorized to promulgate, adopt, and enforce a Water Rationing Plan by virtue of the Emergency Management Services Code, 35 Pa. C.S. §1701 et seq. as implemented by the Drought Emergency Proclamation dated November 6, 1980.
- (f) In the event of a drought emergency, as declared by a Basin Commission and by a proclamation or executive order issued by the Governor, the City of Bethlehem is authorized to collect fines set forth in its Local Water Rationing Plan as filed with and approved by the Pennsylvania Emergency Management Agency.

911.13 WATER USE STANDARDS FOR CERTAIN PLUMBING FIXTURES

(a) General.

This Rule establishes the maximum water use for certain plumbing fixtures installed in all new construction or renovation. Such standards have been implemented to achieve the maximum efficiency of water use, which the City of Bethlehem determined is technologically feasible and economically justified.

PLUMBING FIXTURE	MAXIMUM WATER USE	EFFECTIVE DATE
Showerheads	3.0 gallons/minute	in effect
Lavatory Faucets	3.0 gallons/minute	in effect
Kitchen Faucets	3.0 gallons/minute	in effect
Water Closets	1.6 gallons/flush	Jan. 1, 1991
Urinals	1.5 gallons/minute	in effect

(b) Reevaluation of Water Use Standards.

The City of Bethlehem may, at any appropriate time, amend any of the water use standards listed above relevant to technological developments relating to the water use or water efficiency of any of the specified plumbing fixtures. Amendments will also apply only to new construction and renovation.

(c) Exemptions.

The City of Bethlehem may exempt a particular type of customer when it is determined that the water use standard for plumbing fixtures listed above are inappropriate or cannot be accommodated by existing technology.

911.14 CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION

Cross connection control and backflow prevention shall provide containment of sources of contaminants that may exist on the customer's premises. All procedures for this shall be in accordance with the City of Bethlehem's Cross Connection Control and Backflow Prevention Regulations. Included in the Regulations are procedures for: the installation and testing of backflow prevention devices, the certification of Backflow Prevention Assembly Technicians, the implementation time schedule and a list of City-approved backflow prevention devices.

(a) Cross Connection Control.

No water service connection shall be installed or maintained to any premises where actual or potential cross-connections to the public water supply system or customer's water system may exist, unless such cross-connections are abated or controlled to the satisfaction of the public water supplier.

No connection shall be installed or maintained whereby water from an auxiliary water supply may enter a public or customer's water system unless such auxiliary water supply, as well as the method of connection and use of such supply, has been approved.

(b) Backflow Prevention.

City will require installation of backflow prevention devices for all new facilities. Existing single family residential facilities and multi-family residential facilities three stories and lower in height will not be required to install backflow prevention devices unless a cross connection is discovered on the customer's premises. All other existing facilities will be required to install backflow prevention devices. The type, size and location of the backflow prevention device shall be in accordance with the City's Cross Connection Control and Backflow Prevention Regulations. The backflow prevention device shall be installed, owned and maintained by the customer at the customer's expense. The city shall approve the location of the backflow prevention device.

(c) Installation.

Backflow prevention devices required by this ordinance shall be installed at a location, and in a manner, approved by the city. A person properly qualified shall install the device(s). Backflow prevention devices installed on the service line to a customer's water system shall be located on the customer's side of the water meter, as close to the meter as is reasonable practical, and prior to any other connection.

Backflow prevention devices and water meters shall be installed within the customer's premises at a location that provides for convenient access for future maintenance. Customer shall reconfigure their internal piping to accommodate installation of these devices, if necessary. If adequate space is not available within the customer premises, the customer shall enlarge or reconfigure it. If this is not possible, customer shall provide an approved above grade enclosure located outside of the customer's premises to house these devices. Below grade vaults shall not be permitted.

If the water meter of backflow prevention device is upgraded or replaced, the customer shall provide adequate space within their premises for the new devices. Customer shall also be responsible for reconfiguration of their internal piping to accommodate installation of the new devices. If adequate is not available within the customer premises, the customer shall enlarge or reconfigure it. If this is not possible, customer shall provide an approved above grade enclosure located outside of the customer's premises to house these devices. Below grade vaults shall not be permitted.

(d) Violations.

The City may deny or discontinue, after issuing reasonable notice, water service to any premises wherein any backflow prevention device required by this ordinance is not installed, tested, and maintained in a manner acceptable to the City, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises, or if a low pressure cut-off device required by this ordinance is not installed and maintained in working order.

Water service shall not be restored until the customer has corrected or eliminated such conditions or defects in conformance with this ordinance and to the satisfaction of the City.

911.99 PENALTY.

Applicants and customers are required to comply with all the rules and regulations applicable to water service furnished by the City of Bethlehem. For violation of this ordinance, the City reserves the right to shut off the water after due notice and cancel the contract. For turning on the water again, a charge will be made as specified in Section 911.06. Nothing in this Section shall be construed as limiting the City's remedies at law or equity.

- (a) First Violation - A fine of \$200.00, or thirty days imprisonment, or both;
- (b) Second Violation - A fine of \$500.00, or sixty days imprisonment, or both;
- (c) Third and Each Subsequent Violation - A fine of \$1,000.00, or ninety days imprisonment, or both. (Ord. 3025. Passed 10/15/85; Ord. 3242. Passed 2/7/89.)

(Ord. 4018 Passed 7/5/00)